UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

American Casualty Company of Reading, Pa.,

Plaintiff,

Case No. 11 CV 8421 (RJS)

v.

Morris Gelb, T. Kevin DeNicola,

Edward J. Dineen, Kerry A. Galvin,

John A. Hollinshead, James W. Bayer,

W. Norman Phillips, C. Bart de Jong,

Dan F. Smith, Carol A. Anderson, Susan K. Carter,

Stephen I. Chazen, Travis Engen, Danny W. Huff,

Paul S. Halata, David J. Lesar, David J.P. Meachin,

Daniel J. Murphy, William R. Spivey,

Charles L. Hall, Kevin R. Cadenhead and

Rick Fontenot,

Defendants,

NOTICE OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, plaintiff American Casualty Company of Reading, Pa. hereby dismisses the above-captioned action without prejudice.

Dated: New York, New York November 25, 2011

DLA PIPER LLP (US)

By: /s/ David J. Ward

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American Casualty Company of Reading, Pa.